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8 Attorneys for United States of America

9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN FRANCISCO DIVISION

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13  
14 UNITED STATES OF AMERICA, ) CASE NO. 20-CR-00397 RS  
15 Plaintiff, )  
16 v. ) STIPULATION TO EXCLUDE TIME FROM  
17 NICOLE SUNO, A/K/A "NICOLE SHIH", ) NOVEMBER 17, 2020 TO SEPTEMBER 23, 2022  
18 Defendant. ) AND ORDER  
19

20 It is hereby stipulated by and between counsel for the United States and counsel for the  
21 defendant Nicole Suno, that time be excluded under the Speedy Trial Act from November 17, 2020  
22 through September 23, 2022.

23 At the status conference held on November 17, 2020, the government and counsel for the  
24 defendant agreed that time be excluded through September 23, 2022 under the Speedy Trial Act because  
25 prosecution has been deferred for this period pursuant to a written deferred prosecution agreement with  
26 the defendant, with the approval of the Court, for the purpose of allowing the defendant to demonstrate  
27 good conduct. 18 U.S.C. § 3161(h)(2). For this reason and as further stated on the record at the status  
28 conference, the parties stipulate and agree that excluding time from November 17, 2020 through

STIPULATION TO EXCLUDE TIME AND [PROPOSED] ORDER  
CASE NO. 20-CR-00397 RS

V. 7/10/2018

1 September 23, 2022 is appropriate in light of the deferred prosecution agreement. *See* 18 U.S.C.  
2 § 3161(h)(2).

3 The parties further stipulate and agree that, as part of the deferred prosecution agreement and as  
4 stated therein, the defendant has agreed to waive all rights to a speedy trial pursuant to the Sixth  
5 Amendment of the United States Constitution, Title 18, United States Code, Section 3161, Federal Rule  
6 of Criminal Procedure 48(b), and any applicable Local Rules of the United States District Court for the  
7 Northern District of California.

8 The undersigned Assistant United States Attorney certifies that she has obtained approval from  
9 counsel for the defendant to file this stipulation and proposed order.

10  
11 IT IS SO STIPULATED.

12 DATED: November 30, 2020

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**KRISTINA GREEN**  
14 Assistant United States Attorney

15 DATED: November 30, 2020

16 \_\_\_\_\_  
**AUGUST GUGELMANN**  
17 Counsel for Defendant Nicole Suno

18  
19 ORDER

20 Based upon the facts set forth in the stipulation of the parties and the representations made to the  
21 Court on November 17, 2020, IT IS HEREBY ORDERED that the time from November 17, 2020  
22 through September 23, 2022 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C.  
23 § 3161(h)(2).

24 IT IS SO ORDERED.

25 DATED: November 30, 2020

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**THE HONORABLE RICHARD SEEBOORG**  
United States District Judge